

Instructions for Completing Application
for Clean Water Act Section 401 Water Quality Certification

California Regional Water Quality Control Board, Lahontan Region

Contents of a complete application are specified in California Code of Regulations Title 23, Section 3856. These instructions are provided to assist you in providing all the information needed to consider your application complete. Where necessary, the applicant may attach additional sheets to provide detailed information. Please contact the Regional Board's South Lake Tahoe office at (530) 542-5571, or the Victorville Office at (760) 241-6583 if you need assistance with completing your application.

Section 1: Applicant

Provide complete applicant information as indicated on the application form.

Section 2: Project Description

- a) *Project Title and Purpose*—Include the project title and provide a full, technically accurate description, including the purpose and final goal, of the entire activity. Indicate the total project size (in acres), and length (in feet) where appropriate, including areas outside of jurisdictional waters of the United States. (The estimated quantity of affected waters should be indicated in Section 4, "Affected Waters.")
- b) *Project Location*—Indicate the project location in latitude and longitude, or in Section/Township/Range. Attach a map indicating roads, and a published map (e.g., USGS quad map) of suitable detail, quality, and scale to allow identification of the project area and any water body(ies) potentially receiving a discharge.
- c) *Proposed Schedule*—Indicate approximate expected start and completion dates, duration, etc.

Section 3: Project Permitting/Licensing and CEQA Compliance

- a) *Federal Permits/Licenses Being Sought*—Identify any federal agency(ies) (e.g., the U.S. Army Corps of Engineers) from which permits/licenses are required or being sought for the proposed activities. Indicate permit/license type (e.g., for a U.S. Army Corps of Engineers permit, indicate whether an individual or Nationwide permit is being sought). Indicate license/permit number (e.g., Nationwide Permit number), if applicable. Attach copies of documentation such as federal permit applications; any final signed permits/licenses; notifications by federal agencies concerning the proposed activities; other pertinent communication with federal agencies regarding the proposed activities.
- b) *Streambed/Lakebed Alteration Agreement with Dept. of Fish & Game*—Attach a copy of your application for a Streambed or Lakebed Alteration Agreement. Attach a copy of any final signed Agreement if available.
- c) *Other State or Local Licenses/Permits/Agreements*—Attach copies of any other final and signed State or local licenses/permits/agreements. If final documents are not available,

attach copies of any draft documents, or provide a list of any remaining licenses/permits/agreements being sought.

- d) *Type of CEQA (California Environmental Quality Act) Compliance*—If available, provide a copy of any draft or final CEQA document(s) indicating State Clearinghouse number and date of adoption of EIR, Negative Declaration, or Notice of Exemption. Indicate the type of any Exemption being claimed. If a CEQA document is in the process of being prepared, indicate the lead CEQA agency preparing the document and approximate expected completion date.

NOTE: Although CEQA documentation is not required to complete an application, pursuant to California Code of Regulations (CWC), Title 23, Section 3856(f), the certifying agency (Regional Board) must be provided with and have ample time to properly review a final copy of valid CEQA documentation before taking a certification action. U.S. Army Corps of Engineers guidelines allow the Regional Board 60 days to take action on a complete application. If the federal period for certification will expire before the Regional Board has opportunity to consider the necessary environmental documentation, certification may be denied “without prejudice” pursuant to CCR Title 23 Section 3836(c) until an environmental document can be completed and considered. Pursuant to Section 3837(b)(2), Certification is denied without prejudice whenever an application “suffers from some procedural inadequacy (e.g., failure to provide a complete fee or to meet CEQA requirements).”

Section 4: Affected Waters

- a) *Name and Type of Receiving Waters, and Estimated Quantity of Impact*—Provide the **name**(s) of any receiving water body(ies) that may receive a discharge, and indicate the **type** of waterbody (e.g., river/streambed, lake/reservoir, ocean/estuary/bay, riparian area, or wetland). **For each water body type**, indicate the total estimated **quantity** of waters of the United States that may be adversely impacted temporarily or permanently by a discharge or by dredging (i.e., excavation below the normal high water line). The estimated quantity must be reported in **acres** of fill, **cubic yards** of dredged material, and **linear feet** (for channels, shorelines, riparian corridors, and other linear habitat)
- b) *Name and Title of Person Delineating Extent of Waters*—Include wetland delineator certification information, if applicable.

Section 5: Impact Avoidance, Minimization and Mitigation

- a) *Proposed Measures to Avoid/Minimize Impacts*—Describe in detail, attach additional sheets as necessary. Describe any measures or Best Management Practices (BMPs) to avoid (or if impacts are unavoidable, to minimize) impacts to waters of the State such as:
- Stream diversion plans. Describe specific measures and structures that will be taken to effectively isolate work areas from stream flows.
 - Dewatering and plans for disposal of water from dewatering activities. **NOTE:** disposal to surface waters requires coverage under a National Pollutant Discharge Elimination System (NPDES) Permit.
 - Measures to avoid impacts to wetlands or riparian vegetation.

- Erosion control and sediment retention measures.
 - Map/description of material stockpiles, staging areas, equipment access routes, etc. (Access routes should be planned to minimize disturbance of vegetation.) Describe how equipment will cross streams, and any measures that will be taken to prevent discharge of sediment during stream crossings.
 - Waste handling plans (for example, disposal of construction materials, and water from steam cleaning and concrete washout activities).
 - Plans for responding to inclement weather. Describe how work areas and materials will be protected in the event of adverse weather, to prevent a discharge of earthen materials or other wastes from the site.
 - Revegetation plans, including revegetation success criteria. (The applicant may wish to contact an advisor such as the Natural Resource Conservation Service for recommendations.)
 - Spill contingency plans. Describe measures to prevent and respond to potential spills of stored materials (e.g., chemicals, construction materials, fuels), mechanical fluids from leaking equipment or equipment washing, etc.
- b) *Mitigation for Impacts*— Describe in detail, attach additional sheets or supporting documentation as necessary. Describe details such as location, size, and type of mitigation, pre- and post-project monitoring plan, vegetation/soil amendment plan, quality and availability of water supply, and/or assessment of technological and economic feasibility, etc.
- c) *Other projects planned or implemented by the applicant*—Provide a brief list/description, including estimated adverse impacts of any projects implemented by the applicant within the last five years or planned for implementation by the applicant within the next five years that are in any way related to the proposed activity or that may impact the same receiving water body(ies) as the proposed activity.

Section 6: Signature

Sign and date the form.